

Interview Summary	Application No.	Applicant(s)	
	09/681,361	BIALEK ET AL.	
	Examiner Peter Choi	Art Unit 3623	

All participants (applicant, applicant's representative, PTO personnel):

(1) Peter Choi. (3) _____
 (2) John LeRoy. (4) _____

Date of Interview: 12 October 2005.

Type: a) Telephonic b) Video Conference
 c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No.
 If Yes, brief description: _____

Claim(s) discussed: 1-8.

Identification of prior art discussed: N/A.

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


 Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The Examiner contacted John LeRoy (the attorney of record) in order to obtain a copy of the amended claims that was not submitted. The Examiner pointed out that the remarks submitted clearly indicates an intention to "incorporate the subject matter of dependent claims 3 and 6 into independent claims 1 and 5 respectively" However, no set of amended claims was submitted. Mr. LeRoy was given the Examiner's personal fax number for the submission of amended claims in the hopes of expediting the process of receiving and responding to said amended claims.

Supplemental
Amendment

BROOKS KUSHMAN P.C.

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OK to enter

-PC

10/13/05

TO: UNITED STATES PATENT AND TRADEMARK OFFICE

GROUP ART UNIT: 3623

NAME: Examiner Choi

FAX NO.: (571) 273-6971

SERIAL NO.: 09/681,361

OUR FILE NO.: 81073016 / FMC 1246 PUS

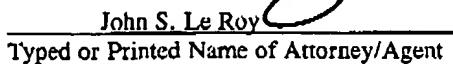
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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on October 12, 2005 at facsimile number (571) 273-~~6971~~
6971:

Number of Sheets
(including this cover): 4 which includes the following documents: 48,158


Signature


John S. Le Roy
Typed or Printed Name of Attorney/Agent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gerald Christopher Bialek, et al.

Group Art Unit:3623

Serial No.: 09/681,361

Examiner: Examiner Choi

Filed: March 26, 2001

For: **BUSINESS METHOD AND DATA STRUCTURE FOR ELIMINATING
NON-VALUE-ADDED DATA ACTIVITY ACROSS A BUSINESS
CONTINUUM**

Attorney Docket No.: 81073016 / FMC 1246 PUS

COMMUNICATION TO EXAMINER CHOI

Examiner Choi:

Further to our telephone conversation of today please find attached hereto the amended claims which were inadvertently omitted from the Amendment Under 37 C.F.R. § 1.111, filed August 1, 2005. Please include these claims as part of the record for the above-named case.

Thank you for your bringing this to my attention and for the courtesy extended in this matter.

Respectfully submitted,

Gerald Christopher Bialek, et al.

By:

John S. LeRoy

Reg. No. 48,158

Attorney for Applicants

Date: October 12, 2005

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AMENDED CLAIMS RELATING TO AUGUST 1, 2005 AMENDMENT

1. (currently amended) A business method for reducing non-value-added data activity across a plurality of distributed business departments, the method comprising:
 - populating a data structure with data sets generated at each of the plurality of distributed business departments;
 - eliminating data gaps, duplications and inconsistencies within the data structure;
 - defining access, ownership, management, data source, data control and data dependencies attributes for each data set within the data structure;
 - aligning each of the distributed business departments' business processes and corresponding data requirements to the data structure data sets based on the attributes defined for each data set; [[and]]
 - updating the alignment in response to changes in the business processes and corresponding data requirements of the plurality of business departments as well as changes in the attributes defined for each data set; and
 - defining a retention period attribute for a data set wherein the data set is deleted from the data structure upon expiration of the defined retention period.

2. (original) The method of claim 1 additionally comprising compiling a glossary summarizing the data sets and corresponding attributes wherein the glossary is provided to the plurality of distributed business departments to facilitate the step of aligning each of the distributed business departments' business processes and corresponding data requirements to the data structure.

3. (canceled)

4. (original) The method of claim 1 additionally comprising the steps of defining an update frequency for a data set and updating content and attributes for the data set according to the defined update frequency.

5. (currently amended) A data structure embodied within a computer readable medium, the data structure comprising a plurality of data sets wherein each data set possesses the following attributes:

- (a) ownership for defining a name of a person or organization who owns content embodied within the data set;

- (b) membership for defining data items which make up the data set;
- (c) codification for defining terminology qualifying the data items which make up the data set;
- (d) source for defining the source of the data set;
- (e) management for defining a person or entity responsible for managing the data set;
- (f) access for defining which business entities may access the data set;
[[and]]
- (g) control metrics for defining an integrity protocol for the data set; and
- (h) a retention period for defining the amount of time that the data set is to be retained within the data structure.

6. (canceled)

7. (original) The data structure of claim 5 wherein each data set additionally possesses a dependents attribute for defining distributed business departments who require data items within the data set to carry out their respective business processes.

8. (original) The data structure of claim 7 wherein each data set additionally possesses an update frequency attribute for defining the rate at which the data set is to be updated.